

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DISH NETWORK L.L.C.,	)	
	)	
Plaintiff,	)	Civil Action No. 1:19-cv-01262-RGA
	)	
v.	)	
	)	
SERVERLOGY CORPORATION, AHMAD AL SHAHMAN and DOES 2-5, individually and together d/b/a East IPTV,	)	
	)	
Defendants.	)	

**DECLARATION OF STEPHEN M. FERGUSON IN SUPPORT OF PLAINTIFF  
DISH NETWORK L.L.C.’S MOTION FOR ALTERNATIVE SERVICE AND  
MOTION FOR EXTENSION OF TIME TO SERVE AHMAD AL SHAHMAN**

I, STEPHEN M. FERGUSON, of Houston, Texas declare as follows:

1. I make this declaration based on personal knowledge and, if called upon to testify, would testify competently as stated herein.
2. I am a partner at the firm Hagan Noll & Boyle LLC, and licensed to practice law in Texas. I am admitted *pro hac vice* for purposes of representing Plaintiff DISH Network L.L.C. (“DISH”) in this case.
3. During September and October 2019 I had discussions with counsel for Defendant Serverlogy Corporation (“Serverlogy”) regarding settlement of this case. Serverlogy’s counsel made clear to me during those discussions that they desired a global settlement including Serverlogy and the yet-to-be-named Doe Defendants d/b/a East IPTV. These settlement discussions ultimately were not successful.
4. Attached as **Exhibit 1** are true and correct copies of certifications made by Serverlogy’s counsel James Tobia and Karl Roth regarding their client and its principal representative Ahmad Al Shahman (“Shahman”), pursuant to the Court’s Order. (D.I. 30.) Mr. Tobia and Mr. Roth both certified that the only individual with which they corresponded in their

representation of Serverlogy was Shahman, that he would not provide his physical address, and that his email addresses were *ahmad.shm@protonmail.com* and *ahmad@dataname.com*.

5. Attached as **Exhibit 2** is a true and correct copy of an unsigned email I received from *ahmad.shm@protonmail.com* on December 23, 2019.

6. Attached as **Exhibit 3** are true and correct copies of screenshots of the *eastiptv.com*, *eastmedia.co*, and *serverlogy.com* websites. The screenshot of *eastiptv.com* was taken in January 2019 and the screenshots for *eastmedia.co* and *serverlogy.com* were taken in September 2019. None of the websites list a street address; they all designate email and website-specific messaging portal as the designated method of contact. Currently, *eastmedia.co* and *eastiptv.com* both resolve to an identical webpage that says, “For any matters contact: *info@eastmedia.co*.”

7. Attached as **Exhibit 4** is a true and correct copy of excerpts of a response to a subpoena I issued to Stripe, Inc. Shahman used Stripe to process transactions for and receive funds from the sale of East IPTV set-top boxes. The response from Stripe indicates that Shahman had bank accounts with Bank of America and PNC Bank. I determined that East IPTV was using Stripe to process online sales of set-top boxes based in part on a confirmation email received by DISH’s investigator after he purchased an East IPTV set-top box from Defendants. A redacted, true and correct copy of that confirmation email is attached as **Exhibit 5**. The confirmation email was from someone with an *@stripe.com* email address and instructed the email recipient to “reply-to” *customerservice@eastmedia.co*.

8. Attached as **Exhibit 6** is a true and correct copy of excerpts of a response to a subpoena I issued to Bank of America. The response identifies Shahman’s address as 345 E. Ohio St. Apt. 4504, Chicago, IL 60611.

9. Attached as **Exhibit 7** is a true and correct copy of excerpts of a response to a subpoena I issued to PNC Bank. The response identifies Shahman’s address as 345 E. Ohio St. Apt. 4504, Chicago, IL 60611.

10. Attached as **Exhibit 8** is a true and correct copy of excerpts of a response to a subpoena I issued to PayPal. The response identifies Shahman's address as Clock Tower, Emaar Tower, Flat No. 1105, Dubai 185713 United Arab Emirates, in addition to identifying several email addresses used by Shahman including *billing@hoststore.com*, *ahmad@hoststore.com*, *billing@themepure.com*, *payments@themepure.com*, *info@dataname.com*, and *w.developing@gmail.com*.

11. Attached as **Exhibit 9** is a true and correct copy of Serverlogy's 2016 annual report filed with the Florida Secretary of State. The document identifies Serverlogy's address as Artillerigatan 6, Stockholm, 114 51 Sweden.

12. Attached as **Exhibit 10** is a true and correct copy of the affidavit of process server Steve Serafin who attempted unsuccessfully to serve Shahman in Chicago, Illinois on March 2, 2020.

13. Attached as **Exhibit 11** is a true and correct copy of the affidavit of process server Peter Bermeus who attempted unsuccessfully to server Shahman in Stockholm, Sweden on March 11 and March 12, 2020.

14. Attached as **Exhibit 12** is a true and correct copy of the affidavit of Irfan Farooq who attempted unsuccessfully to serve Shahman in Dubai on March 12 and May 4, 2020.

15. Attached as **Exhibit 13** is a true and correct copy of an email sent from *abuse@serverlogy.com* on July 14, 2019 to another attorney in my firm, responding to a cease and desist letter. The email states, in pertinent part, "We have received your lawsuit notification thru [sic] our attorney...."

16. Attached as **Exhibit 14** is a true and correct copy of excerpts of a response to a subpoena I issued to Google regarding the creation of the email address *w.developing@gmail.com* and East IPTV's YouTube channel. Google's response indicates that the recovery email used to create *w.developing@mail.com* was *mike@coxmax.com*, the IP address used to create the YouTube channel was 50.165.31.11, and the email used to create the YouTube channel was

*eastiptv@gmail.com*. Someone using IP address 50.165.31.11 was determined from PayPal records to have accessed Shahman's PayPal account. (See Exhibit 8.)

17. Attached as **Exhibit 15** is a true and correct copy of excerpts of a response to a subpoena I issued to Enom, Inc., the registrar for the domain names *eastiptv.com* and *eastmedia.co*. The response indicates that someone using the IP address 50.165.31.11 was used to register and renew the domains *eastiptv.com* and *eastmedia.co*.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 19, 2019.

/s/ Stephen M. Ferguson  
Stephen M. Ferguson

**CERTIFICATE OF SERVICE**

I hereby certify that on May 20, 2020, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on May 20, 2020, upon the following in the manner indicated:

Severlogy Corporation  
c/o Ahmad Al Shahman  
ahmad.shm@protonmail.com

*VIA ELECTRONIC MAIL*

Severlogy Corporation  
c/o Agents And Corporations, Inc.  
1201 Orange Street, Suite 600  
One Commerce Center  
Wilmington, DE 19801

*VIA HAND DELIVERY*

*/s/ Rodger D. Smith II*

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Rodger D. Smith II (#3778)